

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-21. (cancelled)

22. (currently amended) A control method for selecting valve actuating modes in a multi-valve engine having at least an electromechanically actuated valve, the method comprising:

determining an operating condition of said electromechanically actuated valve; and

deactivating cylinder modes wherein **said** electromechanically actuated valve operates, **said deactivation occurring** when said operating condition indicates a condition of degraded performance of said electromechanical valve.

23. (original) The method of Claim 22 wherein said operating condition is a temperature of said electromechanical valve actuator.

24. (original) The method of Claim 22 wherein said operating condition is an amount of electrical current flowing through said electromechanical valve.

25. (original) The method of Claim 22 wherein said operating condition is a voltage drop across said electromechanical valve.

26. (original) The method of Claim 22 wherein said operating condition is a position of said electromechanical valve.

27. (original) The method of Claim 22 wherein said operating condition is an impedance of said electromechanical valve.

28-34. (cancelled)